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PTO/SB/21 (02-04)

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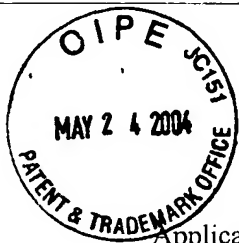
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/791,179	
	Filing Date	March 2, 2004	
	First Named Inventor	SAYET	
	Art Unit	Unknown	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission	14	Attorney Docket Number	7047-2

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Although no fees are believed due, please charge or credit any fees to Deposit Acct. No. 50-0951.	
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual name	AKERMAN SENTERFITT - CUSTOMER NO. 30448 PETER A. CHIABOTTI, REG. NO. 54,603	
Signature	<i>Peter A. Chiabotti</i>	
Date	5/21/04	

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Typed or printed name	PETER A. CHIABOTTI, REG. NO. 54,603	
Signature	<i>Peter A. Chiabotti</i>	Date 5/21/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/791,179  
Applicant : Sayet, Peter H.  
Filed : March 2, 2004  
TC/A.U. : Unknown  
Examiner : Unassigned  
Docket No. : 7047-2  
Customer No. : 30448  
Title : A System, System Devices, And Methods For Regulating Nutrient  
Absorption And Caloric Intake

**INFORMATION DISCLOSURE STATEMENT**

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Peter A. Chiabotti  
Peter A. Chiabotti, Reg. No. 54,603

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying forms PTO/SB/08A and PTO/SB/08B are hereby brought to the attention of the Examiner for independent evaluation. A copy of each reference is enclosed and/or a translation of each non-English language document, or portion thereof, is enclosed herewith.

This Statement is being filed prior to the issuance of the first Office Action for the present application and is thus submitted in accordance with 37 C.F.R. §1.97(b). Accordingly, a fee is not required for consideration of these documents. Nevertheless, should a fee be deemed to be due by the Commissioner, such fee should be charged to Deposit Account No. 50-0951. Applicant submits that the present invention is patentable over these references.

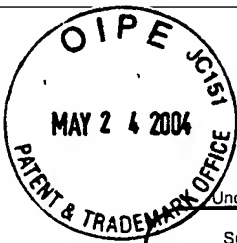
Respectfully submitted,

**AKERMAN SENTERFITT**

Dated: 5/21/04

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Peter A. Chiabotti, Reg. No. 54,603  
Post Office Box 3188  
West Palm Beach, FL 33402-3188  
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Docket No. 7047-2  
{WP181347;1}



PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	10/791,179
Filing Date	March 2, 2004
First Named Inventor	SAYET
Art Unit	Unknown
Examiner Name	Unassigned
Attorney Docket Number	7047-2

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 5,549,621	08/27/96	Bessler et al.	
		US- 5,771,903	06/30/98	Jakobsson	
		US- 6,102,922	08/15/00	Jakobsson et al.	
		US- 4,471,771	09/18/84	Brown J. Steven et al.	
		US- 5,911,992	06/15/99	Braswell et al.	
		US- 5,868,141	02/09/99	Ellias	
		US- 5,820,584	10/13/98	Crabb	
		US- 5,546,937	08/20/96	Stuart et al.	
		US- 5,358,492	10/25/94	Feibus	
		US- 5,306,300	04/26/94	Berry	
		US- 5,234,454	08/10/93	Bangs	
		US- 4,899,747	02/13/90	Garren et al.	
		US- 4,878,905	11/07/89	Blass	
		US- 4,763,653	08/16/88	Rockey	
		US- 4,501,264	02/26/85	Rockey	
		US- 4,416,267	11/22/83	Garren et al.	
		US- 4,403,604	09/13/83	Wilkinson et al.	
		US- 4,315,509	02/16/82	Smit	
		US-			

**FOREIGN PATENT DOCUMENTS**

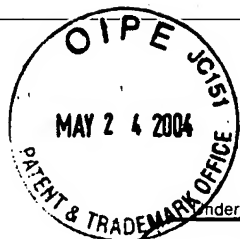
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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First Named Inventor	SAYET
Art Unit	Unknown
Examiner Name	Unassigned
Attorney Docket Number	7047-2

Sheet	1	of	1
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**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Treatment of Obesity, Inamed Corporation, 2000	
		BioEnterics Product Line descriptions from website, BioEnterics Corporation, 1999	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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